

EXHIBIT A-2

25-DCV-325274

CAUSE NO. 25-DCV-_____

CHRISTINA FLORES
PLAINTIFF

V.

CITY OF KENDELTON, ET. AL.

§ IN THE DISTRICT COURT

§ Fort Bend County - 400th Judicial District Court

§ _____ JUDICIAL DISTRICT

§

§ FORT BEND COUNTY, TEXAS

ORIGINAL PETITION

Plaintiff Christina Flores, (“Ms. Flores” or “Plaintiff”), a Mexican American with Native Indian ancestry, by her attorney, complains of Defendant The City of Kendleton as follows:

INTRODUCTION

1. This is a civil rights complaint for discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq. (“Title VII”), and the Civil Rights Act of 1866, 42 U.S.C. § 1981 (“Section 1981”).

2. From May 12, 202 to August 23, 2023 , Plaintiff Ms. Flores was employed as a city Employee-Secretary of the City of Kendleton, Texas. During this time, one of the councilmen, Mr. Petway sexually harassed her by propositioning her for sex, and other city council members created a hazardous working environment for her by reminding her that Kendleton was an African American City and that she, a Mexican American did not belong in Kendleton.

3. When Ms. Flores reported this wrongful and persistent sexual and other harassment and discrimination, the city of Kendleton retaliated against her by terminating her employment.

DISCOVERY CONTROL PLAN

4. Discovery in this matter will be conducted under Discovery Control Plan Level 3 under Texas Rule of Civil Procedure 190.4.

RULE 47 STATEMENT

5. The Plaintiff seeks monetary relief over \$200,000 but not more than \$5,000,000, a demand for judgment for all the other relief to which the party deems himself entitled, and an award of its reasonable attorneys' fees.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over this action because Ms. Flores asserts claims for violations of the Federal Constitution that can be concurrently heard in both this (State) Court and or federal courts.

VENUE

7. Venue is proper in Fort Bend County because all or a substantial part of the acts and omissions that are the subject matter of this action occurred in Fort Bend County, Defendants are either domiciled in Fort Bend County or have their principal office in their official capacities in Fort Bend County.

PARTIES

8. Plaintiff Flores is an adult resident of the State of Texas.

9. Defendants, The Mayor of the City of Kendleton and City of Kendleton a city in Texas, may be served with process by serving the mayor or secretary, at 430 FM2919, Kendleton, TX 77451, Fort Bend County, Texas. Tex. Civ. Prac. & Rem. Code §17.024(b)

PROCEDURAL BACKGROUND

10. Plaintiff Christina Flores exhausted her administrative remedies at the Equal Employment Opportunity Commission.

11. The U.S. Equal Employment Opportunity Commission (“EEOC”) found reasonable cause to believe violations of Title VII occurred. The EEOC issued Ms. Flores a Notice of Right to Sue, which Ms. Flores received on October 22nd, 2024. A true and correct copy of that notification is attached as Exhibit A.

12. This Complaint is being filed within 90 days of Ms. Flores’s receipt of the EEOC Notice of Right to Sue.

ALLEGATIONS OF FACT

- A. “THE “SCUFFLE” - CITY COUNCIL JENKIN BY INNUENDO IMPLIED THAT THE PLAINTIFF GOT HER AND MAINTAINED HER JOB AS THE CITY’S SECRETARY BY BEING THE MAYOR’S WHORE

13. The Plaintiff was humiliated in the city based on the defamation of her character suffered by Plaintiff through certain actions by members of the Kendleton City Council. In a scuffle, in the Kendleton US post office, Councilwoman Jenkins entered the lobby and started calling Plaintiff disgusting and ghetto. She picked up her phone and started recording Plaintiff after Plaintiff tried to tell her what the clerk had just said about Plaintiff. She did not care and laughed at Plaintiff, stating that Plaintiff should have kept Plaintiff’s legs closed.

14. This council member has repeatedly told citizens and the media that Plaintiff has an intimate relationship with Mayor Humphrey and that the only reason Plaintiff had the position of City Secretary is because of that. The plaintiff was humiliated in that post office lobby and other places. The plaintiff tried to leave, and another citizen was holding the door shut and keeping her against her will. The plaintiff called the Mayor for assistance and managed to get out to safety.

15. Mayor Humphrey informed Plaintiff that Councilwoman Jenkins was at the post office calling the cops. The cops came back to City Hall and spoke to Plaintiff and stated that the clerk admitted that she made inappropriate comments to Plaintiff and that she was sorry for what she said.

B. “THE CITY OF KENDLETON IS A BLACK TOWN AND WE WANT TO KEEP IT THAT WAY, - CITY COUNCIL JENKIN

16. On August 30th, 2023, Ms. Jenkins held a conversation with Mrs. Spears for well over an hour outside in the Kendleton Church of God parking lot after the City Council Meeting. Mrs. Spears later phoned Plaintiff to ask if Plaintiff could assist with locating accounts/items in the office and to invite Plaintiff to dinner because she had some things to tell Plaintiff. The plaintiff agreed and she informed the Plaintiff about the racial and disgraceful remarks Ms. Jenkins had said about Plaintiff. Ms. Jenkins has always stated that the City of Kendleton is a "black city" and that Mayor Humphrey only cares about the "Spanish" people and that is why he protects Plaintiff. The fact that she was so comfortable telling Mrs. Spears, someone she only Plaintiff that day, so many derogatory comments about Plaintiff is crazy. Plaintiff texted on several occasions with Mrs. Spears about different things and on one occasion she texted Plaintiff about a newspaper clipping she didn't appreciate because it named her. At that point, she mentions the "Pro-Black" conversation she held with Ms. Jenkins.

17. Further, Sabrina Ramirez (Hispanic Female), former City Clerk, was the best employee Plaintiff had the opportunity to work with during Plaintiff's time in Kendleton. The amount of stress that Councilwomen White, Jenkins, and Schulze, constantly strained on her was too overbearing. She witnessed on several occasions Ms. Jenkins discriminated against Plaintiff.

18. Robert Sanchez (Hispanic Male) was terminated on August 21st, 2023 because another employee (Black Male) stated that he believed that Mr. Sanchez was drinking heavily after work. No drug test or alcohol test was performed.

C. HAZARDOUS WORK ENVIRONMENT AND RETALIATION

19. On August 9th, Councilwoman Jenkins' neighbor came into City Hall and verbally assaulted Plaintiff in front of Mayor Humphrey and Mrs. Josephine Walker. He stated that Plaintiff needed to get fired for pressing charges on Mrs. Patterson and for being the "Mayor's whore." Once again, Ms. Jenkins' statements have been brought to Plaintiff's attention. Plaintiff became physically ill and felt that Plaintiff was having a heart attack. After receiving guidance from Mrs. Walker, Plaintiff chose to visit Oak Bend Medical Hospital in Wharton, TX where a doctor advised that Plaintiff was having a panic attack and that Plaintiff's blood pressure was elevated from the stress OF THE ILLEGAL AND WRONGFUL actions of Defendants.

20. During the August 23rd meeting, Mrs. Patterson's family defended her actions and stated that they had all "heard" about Plaintiff through the council members, and they wanted to see Plaintiff's termination effective immediately. An Executive Session was held where Plaintiff was led to believe that they did not have enough votes to proceed but to Plaintiff's surprise, Councilman Aldridge changed his mind at the table and voted for Plaintiff's termination. On August 9th, Councilwoman Jenkins' neighbor came into City Hall and verbally assaulted Plaintiff in front of Mayor Humphrey and Mrs. Josephine Walker. He stated that Plaintiff needed to get fired for pressing charges on Mrs. Patterson and for being the "Mayor's whore." Once again, Ms. Jenkins' statements have been brought to Plaintiff's attention. The Plaintiff became physically ill and felt that Plaintiff was having a heart attack. After receiving guidance

from Mrs. Walker, Plaintiff chose to visit Oak Bend Medical Hospital in Wharton, TX where a doctor advised that Plaintiff was having a panic attack and that Plaintiff's blood pressure was elevated from the stress.

COUNT 1
SECTION 1981—DISCRIMINATION AND RETALIATION BASED ON RACE

21. Ms. Flores realleges the foregoing paragraphs as though fully set forth herein.

22. Ms. Flores is a member of a protected class on the basis of race. She is a minority Hispanic woman,

23. Ms. Flores, in all respects, was performing her job in a manner that was consistent with the City of Kendelton's legitimate business expectations.

24. The City of Kendelton discriminated against Ms. Flores as described above, including but not limited to harassing her, subjecting her to a hostile work environment, denying her promotions, and firing her.

25. The City of Kendelton also retaliated against Ms. Flores as described above.

26. The City of Kendelton's actions were taken with a willful and wanton disregard of Ms. Flores's rights under Section 1981.

27. As a direct and proximate result of said unlawful employment practices and in disregard of Ms. Flores's rights and sensibilities, Ms. Flores has suffered humiliation, degradation, emotional distress, other consequential damages, and lost wages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Flores prays that this Court:

- A. Enter judgment in favor of Ms. Flores and against the Defendant for violation of Ms. Flores's Rights under Title VII, the IHRA, and Section 1981.
- B. Declare that the actions of the Defendant constituted unlawful discrimination.
- C. Award Ms. Flores compensatory damages, including, but not limited to, lost wages and benefits, in such amount as will reasonably compensate her for her losses, and damages for emotional distress.
- D. Award Ms. Flores punitive damages in such amount as the Court deems proper.
- E. Award Ms. Flores her costs, attorneys' fees, and non-taxable expenses in this action; and
- F. Grant Ms. Flores such other and further relief as the Court deems equitable and just.

JURY DEMAND

Plaintiff Judi Flores hereby demands trial by jury pursuant to the Texas Rule of Civil Procedure on all issues so triable.

Respectfully Submitted

Respectfully submitted,

Ken Bryant Attorney At Law
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/s/ Ken Bryant
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Ken Bryant on behalf of Ken Bryant
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Envelope ID: 96414738
Filing Code Description: Petition
Filing Description: Original Petition
Status as of 1/21/2025 12:56 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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